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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,980	11/20/2001	Roger L. Bunting	2-5-4-3	4694

7590

10/19/2005

Docket Administrator (Room 3J-219)  
Lucent Technologies Inc.  
101 Crawfords Corner Road  
Holmdel, NJ 07733-3030

EXAMINER

NGUYEN, TOAN D

ART UNIT	PAPER NUMBER
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2665

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/996,980

Applicant(s)

BUNTING ET AL.

Examiner

Toan D. Nguyen

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 6-10 is/are rejected.
- 7) ☒ Claim(s) 3-5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/22/03</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1-10 are objected to because of the following informalities:

In claim 1 line 1, it is suggested to change "(LEM)" to --- Legacy Envelope Module (LEM) ---. Similar problems exist in claim 2 line 1, claim 3 line 1, claim 4 line 1, claim 5 line 1, claim 7 line 2, claim 8 line 1, claim 9 line 1, and claim 10 line 2.

In claim 1 line 1, it is suggested to change "CAMEL" to --- Customized Application for Mobile Enhanced Logic (CAMEL) ---. Similar problems exist in claim 7 lines 1 and 3, claim 8 lines 2 and 3, and claim 10 lines 2 and 3.

In claim 1 lines 2 and 3, it is suggested to change "WIN" to --- Wireless Intelligent Network (WIN) ---. Similar problems exist in claim 7 lines 2 and 3, claim 8 lines 1 and 2, and claim 10 lines 1 and 2.

In claim 2 line 1, it is suggested to change "An" to --- The ---. Similar problems exist in claim 2 line 1, claim 3 line 1, claim 4 line 1, claim 5 line 1, claim 6 line 1, and claim 9 line 1.

In claim 6 line 1, it is suggested to change "a WIN network, an interface" to --- the WIN network, the interface ---. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. Claims 1-7 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1 line 3, it is unclear as to what is meant by "an Application". Therefore, the scope of the claim is unascertainable. Similar problem exists in claim 7 line 3.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-2 and 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gourraud (US 2002/0026473) in view of Itzkovitz et al. (US 2003/0165135).

As far as understood with respect to claim 1, Gourraud discloses an interface (figure 1, reference 104, page 3, paragraph [0026] lines 1-3) operative to provide a CAMEL based service to a subscriber terminal in a IN network by causing the CAMEL based service to appear to the IN network as an Application in accordance with the Open Service Access (OSA) standard (page 1, paragraph [0010] to paragraph [0011]).

However, Gourraud does not expressly disclose a WIN network. In an analogous art, Itzkovitz et al. discloses a useful summary of IN concepts and standards is provided by Faynberg et al., in "The development of the Wireless Intelligent Network (WIN) and Its Relation to the International Intelligent Network Standards" (page 1, paragraph [0003]).

One skilled in the art would have recognized a WIN network, and would have applied Itzkovitz et al.'s intelligent network in Gourraud's Parlay/OSA. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Itzkovitz et al.'s interface for intelligent network services in Gourraud's application programming interface based method and system including triggers with the motivation being to carry out service switching functions associated with Intelligent Network services (page 1, paragraph [0002]).

For claim 2, Gourraud in view of Itzkovitz et al. discloses an Open Service Access (OSA) interface to an Open Service Access gateway (OSA GW) of the WIN network, and operative to convert received Open Service Access (OSA) messages to CAMEL Application Protocol Message (page 1, paragraphs [0010], [0011] and [0026]).

For claim 6, Gourraud in view of Itzkovitz et al. discloses a WIN network, an interface and the subscriber terminal, the subscriber terminal being a CAMEL subscriber terminal which has roamed into the WIN network (page 6, paragraph [0057]).

As far as understood with respect to claim 7, Gourraud discloses providing an interface (figure 1, reference 104, page 3, paragraph [0026] lines 1-3) causing the CAMEL based service to appear to the IN network as an Application in accordance with the Open Service Access (OSA) standard (page 1, paragraph [0010] to paragraph

[0011]). However, Gourraud does not expressly disclose a WIN network. In an analogous art, Itzkovitz et al. discloses a useful summary of IN concepts and standards is provided by Faynberg et al., in "The development of the Wireless Intelligent Network (WIN) and Its Relation to the International Intelligent Network Standards" (page 1, paragraph [0003]).

One skilled in the art would have recognized a WIN network, and would have applied Itzkovitz et al.'s intelligent network in Gourraud's Parlay/OSA. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Itzkovitz et al.'s interface for intelligent network services in Gourraud's application programming interface based method and system including triggers with the motivation being to carry out service switching functions associated with Intelligent Network services (page 1, paragraph [0002]).

For claim 8, Gourraud discloses an interface (figure 1, reference 104, page 3, paragraph [0026] lines 1-3) operative to provide a IN based service to a subscriber terminal in a CAMEL network (page 1, paragraph [0011] lines 1-3) by causing the IN based service to appear to the CAMEL network as a CAMEL application (CAP) (page 4, paragraph [0034]). However, Gourraud does not expressly disclose a WIN network. In an analogous art, Itzkovitz et al. discloses a useful summary of IN concepts and standards is provided by Faynberg et al., in "The development of the Wireless Intelligent Network (WIN) and Its Relation to the International Intelligent Network Standards" (page 1, paragraph [00034]).

One skilled in the art would have recognized a WIN network, and would have applied Itzkovitz et al.'s intelligent network in Gourraud's Parlay/OSA. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Itzkovitz et al.'s interface for intelligent network services in Gourraud's application programming interface based method and system including triggers with the motivation being to carry out service switching functions associated with Intelligent Network services (page 1, paragraph [0002]).

For claim 9, Gourraud discloses comprising a WIN interface to a WIN platform of the WIN network, and operative to translate CAMEL Application Protocol messages to the WIN platform (page 1, paragraph [0011] lines 1-3).

For claim 10, Gourraud discloses providing a IN based service to a subscriber terminal in a CAMEL network (page 1, paragraph [0011] lines 1-3) comprising providing an interface (figure 1, reference 104, page 3, paragraph [0026] lines 1-3) causing the IN based service to appear to the CAMEL network as a CAMEL application (CAP) (page 4, paragraph [0034]). However, Gourraud does not expressly disclose a WIN network. In an analogous art, Itzkovitz et al. discloses a useful summary of IN concepts and standards is provided by Faynberg et al., in "The development of the Wireless Intelligent Network (WIN) and Its Relation to the International Intelligent Network Standards" (page 1, paragraph [00034]).

One skilled in the art would have recognized a WIN network, and would have applied Itzkovitz et al.'s intelligent network in Gourraud's Parlay/OSA. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to

use Itzkovitz et al.'s interface for intelligent network services in Gourraud's application programming interface based method and system including triggers with the motivation being to carry out service switching functions associated with Intelligent Network services (page 1, paragraph [0002]).

***Allowable Subject Matter***

6. Claims 3-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan D. Nguyen whose telephone number is 571-272-3153. The examiner can normally be reached on M-F (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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*Man U. Pham*

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PRIMARY EXAMINER